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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,069	11/28/2003	Edward Kratz		8630
45352	7590	04/12/2005		
			EXAMINER	
			TSIDULKO, MARK	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/723,069	KRATZ, EDWARD <i>(Signature)</i>
	Examiner	Art Unit
	Mark Tsidulko	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 28 November 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-7 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-4 is/are rejected.

7) Claim(s) 5-7 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>012805</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: phrase “bulb and assembly can interchanged” should be changed to “bulb and shade assembly can be interchanged”.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovett (US 4,996,636) in view of Altman (US 5,274,537).

Lovett discloses (Figs. 1-3) a decorative outdoor lighting system including a plurality of lighting fixtures (Fig. 1) for insertion into the ground at regularly spaced intervals from each other, each lighting fixture includes a stake [18] having a lower end [34] for insertion into the ground, an upper end [36] having a hollow interior and a coupler assembly [40] located at the upper end, a bulb [30] and shade assembly [16] for removable securement to the coupling assembly and stem [46] capable of being rotated in quarter turn for locking and unlocking the bulb and shade to the stake.

Lovett discloses the instant claimed invention except for four inwardly extending protrusions.

Altman discloses (Fig.1) a twisting lock having four inwardly extending protrusions [12d]. This structure allows to obtain more reliable engagement.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the coupling mechanism of Lovett having four protrusions, as shown by Altman, in order to obtain more reliable engagement.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovett and Altman as applied to claim 1 above, and further in view of Cok (US 2004/0032727).

Lovett et al. disclose the instant claimed invention except for type of power source.

Cok discloses an area illumination lighting device wherein power is selected from the group consisting of 110 volt AC and 12 volt DC (claim 16).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the lighting fixture of Lovett et al. with 110 volt AC or 12 volt DC power sources, as taught by Cok, in order to power supply of the light source.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovett, Altman and Cok, as applied to claim 3 above, and further in view of Robbins (US 5,149,188).

Lovett et al. disclose the instant claimed invention except for solar panels.

Robbins discloses (Fig.1) a solar powered exterior light fixture having a solar panels [50] mounted on the upper arm and point upward toward the sun.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the solar panels of Robbins for the fixture of Lovett et al. on the top of the shade, in order to provide the power supply.

Allowable Subject Matter

Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

Referring to Claim 5 the prior art of record fails to show an outdoor lighting system having a solar panels and wherein the bulb and the shade are interconnected so that the bulb and the shade can be mounted and removed as a unit from the light fixture.

Claims 6 and 7 are objected as claims depended on claim 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.
January 28, 2005



JOHN ANTHONY WARD
PRIMARY EXAMINER